

PROB 12B(7/93)

# UNITED STATES DISTRICT COURT

for

## WESTERN DISTRICT OF TEXAS

### **Request for Modifying the Conditions or Term of Supervision with Consent of the Offender**

*(Probation Form 49, Waiver of Hearing is Attached)*

FILED  
2007 MAR 12 PM 3:16

U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

BY \_\_\_\_\_  
DEPUTY

**Name of Offender:** Julio Rodriguez Chavez **Case Number:** EP-05-CR-2300PRM(1)

**Name of Sentencing Judicial Officer:** U.S. District Judge Philip R. Martinez

**Date of Original Sentence:** February 28, 2006

**Original Offense:** 21 U.S.C. §§ 952 and 960, Importation of a Quantity of Marijuana

**Original Sentence:** 18 Months Imprisonment and 3 Years Supervised Release

**Type of Supervision:** Supervised Release **Date Supervision Commenced:** January 9, 2007

### **PETITIONING THE COURT**

☐ To extend the term of supervision for \_\_\_\_\_ years, for a total term of \_\_\_\_\_ years.

☒ To modify the conditions of supervision as follows:

1. The defendant shall reside at Dismas Charities, 7011 Alameda, El Paso, Texas, for a period of 120 days. The defendant shall abide by the rules of Dismas Charities. The defendant shall pay 25% of his weekly gross income for his subsistence as long as that amount does not exceed the daily contract rate.
2. The defendant shall refrain from the use of alcohol and/or other intoxicants during the term of supervision.

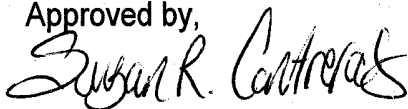
CHAVEZ, Julio Rodriguez  
EP-05-CR-2300PRM(1)  
Prob 12B (7/93)

CAUSE

Chavez failed to submit a urine sample to Homeward Bound, Inc., as part of his required substance abuse treatment, on May 8, 2007; December 10 and 12, 2007; and January 14, 2008. On August 20, 2007, Chavez tested positive for alcohol at the probation office. Chavez admitted in writing to the usage of alcohol. He stated he drank 2-32 ounce cans of beer on August 19. Chavez has a no alcohol condition included in his supervision conditions. In response, treatment services were increased.

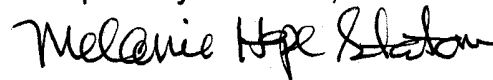
On August 25, 2007, Chavez was arrested by the El Paso, Texas, Police Department for assault. His wife Krystal Chavez is the named victim. On February 28, 2008, in Court No. 2 of El Paso County, Texas, under case no. 20070C13334, Chavez pled guilty and was sentenced to 9 months deferred adjudication community supervision.

Approved by,



SUZAN R. CONTRERAS  
Supervising U.S. Probation Officer

Respectfully submitted,

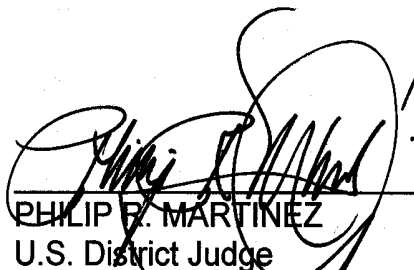


MELANIE HOPE STATOM  
Senior U.S. Probation Officer  
Date: March 4, 2008

---

THE COURT ORDERS:

- ☐ No action.
- ☐ The extension of supervision as noted above.
- ☒ The modification of conditions as noted above.
- ☐ Other



PHILIP E. MARTINEZ  
U.S. District Judge

March 11, 2008  
Date

PROB 49  
(3/89)

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

Waiver of Hearing to Modify Conditions  
of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by Law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

1. The defendant shall reside at Dismas Charities, 7011 Alameda, El Paso, Texas, for a period of 120 days. The defendant shall abide by the rules of Dismas Charities. The defendant shall pay 25% of his weekly gross income for his subsistence as long as that amount does not exceed the daily contract rate.
2. The defendant shall refrain from the use of alcohol and/or other intoxicants during the term of supervision.

Witness: Melanie Hope Statom  
U.S. Probation Officer  
MELANIE HOPE STATOM

Signed: Julio R. Chavez  
Probationer or Supervised Releasee  
JULIO RODRIGUEZ CHAVEZ

01-22-2008

Date